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Mr. Richard J. Schassburger  
Rocky Flats Office  
U S. Department of Energy  
P.O Box 928  
Golden, CO 80402-0928

**Re: Notification of Violation and  
Accrual of Stipulated Penalties for  
Failure to Submit Final RFI/RI  
Report for Operable Unit 2**

We are in receipt of your letter regarding the Final RFI/RI Report for Operable Unit 2 (letter is undated but is identified by DOE reference number 93-DOE-08698). As you noted in your letter, the agreed upon milestone date for submittal of the Final RFI/RI Report for Operable Unit 2 was August 9, 1993. By failure to submit that document to EPA and CDH, DOE has not met the milestone and is in violation of the IAG.

Since the Final RFI/RI Report for Operable Unit 2 is a primary document, you are hereby notified that stipulated penalties are accruing pursuant to Part 19 of the IAG. In accordance with the terms of the IAG, penalties will begin to accrue on the date DOE receives this notice of violation. The stipulated penalties shall accrue from the date of DOE receipt of this notice of violation until DOE submits to EPA and CDH an approvable Final RFI/RI Report for Operable Unit 2. These penalties are in addition to stipulated penalties already accruing for DOE's failure to submit the Draft RI/RFI Report for Operable Unit 2.

As agreed in the IAG, a stipulated penalty may be assessed in an amount not to exceed \$5,000 for the first week and \$10,000 for each additional week for which a failure occurs. Also in accordance with the terms of the IAG, DOE shall have 15 days after receipt of this notice of violation to invoke dispute resolution or the question of whether the failure did in fact occur.

**DOCUMENT CLASSIFICATION  
REVIEW WAIVER PER  
CLASSIFICATION OFFICE**

ED FOR ADDRESSEE

DATE \_\_\_\_\_

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If you have any questions regarding this matter, please call Martin Hestmark (EPA) at 294-1134 or Joe Schieffelin (CDH) at 692-3356

Sincerely,

*Arturo Duran For*

Martin Hestmark, Manager  
Rocky Flats Project  
EPA, Region VIII

*Gary W. Baughman*

Gary Baughman, Chief  
Facilities Section  
Hazardous Waste Control Program

cc: James K. Hartman, DOE  
Robert Carr, OFFE  
Gary Baughman, CDH